

# EXHIBIT C

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK  
3 Case No. 1:18-CF-05025-JMF

4 -----x  
NEW YORK IMMIGRATION COALITION, ET AL.,

5  
6 Plaintiffs,

7  
8 - against -  
9

10 UNITED STATES DEPARTMENT OF COMMERCE,  
ET AL.,

11 Defendants.

-----x

12 August 24, 2018  
9:07 a.m.

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14  
15 Videotaped Deposition of WENDY  
16 TERAMOTO, taken by Plaintiffs, pursuant to  
17 Notice, held at the offices of Arnold &  
18 Porter Kaye Scholer LLP, 250 West 55th  
19 Street, New York, New York, before Todd  
20 DeSimone, a Registered Professional  
21 Reporter and Notary Public of the State of  
22 New York.

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9 ALSO PRESENT:

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6 REQUESTS

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(NONE)

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1 which at the top says from Kris Kobach to  
2 Wendy Teramoto, CC Brooke Alexander, Israel  
3 Hernandez, date is July 24th, 2017.

4 And my first question is, who  
5 is Kris Kobach?

6 A. I would like to read the  
7 document, sir.

8 Q. I will withdraw the question.  
9 Let me ask you a different question. If  
10 you need to read the document to answer  
11 that question, it is fine with me.

12 He was vice chair of the  
13 Presidential Advisory Committee on Election  
14 Integrity and Secretary of State of Kansas;  
15 isn't that right?

16 A. I have no idea.

17 Q. All right.

18 A. He was vice what?

19 Q. Vice chair of the Presidential  
20 Advisory Commission on Election Integrity.

21 A. Okay.

22 Q. Is this the first you're  
23 hearing that?

24 A. Yes, sir.

25 Q. If I tell you he was Secretary

1 of State of Kansas, have you heard that  
2 before?

3 A. Well, I just read it right  
4 here.

5 Q. So you would have known that  
6 back in the day?

7 A. No.

8 Q. All right. So Kris Kobach  
9 writes an e-mail to you, if you look down  
10 that first page, July 21, 2017, he writes  
11 "Wendy, nice meeting you on the phone this  
12 afternoon. Below is the e-mail I sent to  
13 Secretary Ross" --

14 A. Sir, can I read the whole  
15 e-mail, please?

16 Q. Sure.

17 A. Thank you.

18 (Witness perusing document.)

19 A. Okay.

20 Q. All right. So there is an  
21 e-mail from Kris Kobach to you, July 21, in  
22 which he says -- he references meeting you  
23 on the phone this afternoon.

24 Do you recall speaking with  
25 Kris Kobach?

1           A.           Not at all.

2           Q.           You don't deny speaking with  
3 him?

4           A.           I think you asked me if I  
5 remember. I don't remember talking to him.

6           Q.           This is a different question.  
7                        You don't deny speaking with  
8 him?

9           A.           Given this e-mail, I would  
10 assume that I spoke to him, but I don't  
11 remember ever speaking to him.

12          Q.           All right. And he asks --  
13 withdrawn.

14                       He says that he had sent an  
15 e-mail to Secretary Ross and he attaches it  
16 here. You see that, correct?

17          A.           Well, I see his e-mail to me  
18 says "Below is the e-mail that I sent to  
19 Secretary Ross."

20          Q.           Okay.

21          A.           So I assume however this is  
22 produced, it would have been this e-mail.

23          Q.           All right. And one of the  
24 things that the e-mail that Kris Kobach  
25 forwards to you, one of the things in it is

1 the statement "It is essential that one  
2 simple question be added to the upcoming  
3 2020 census," that's the first sentence of  
4 the second paragraph of this forwarded  
5 e-mail; do you see that?

6 A. The second -- the first  
7 sentence of the second paragraph that Kris  
8 Kobach sent to, I believe it is Secretary  
9 Ross, but I can't say his -- there is no  
10 e-mail address -- says "It is essential  
11 that one simple question be added to the  
12 upcoming 2020 census."

13 Q. All right. When you spoke with  
14 Kris Kobach, didn't he talk to you about  
15 adding a citizenship question to the  
16 census?

17 A. Again, I have no recollection  
18 ever speaking to him.

19 Q. Who did you understand Kris  
20 Kobach to be at the time?

21 A. I had no idea.

22 Q. Do you typically set up  
23 meetings with the Secretary or calls with  
24 the Secretary to people -- with people you  
25 have no idea who they are?

1           A.           You asked me, sir, if at the  
2           time if I knew who Kris Kobach was, and I  
3           said I didn't.

4           Q.           Correct. I have asked you a  
5           different question now.

6           A.           Okay. Could you please repeat  
7           it?

8           Q.           My question is, would you  
9           typically set up a call for the Secretary  
10          with somebody who you didn't know anything  
11          about who they were?

12          A.           Well, no.

13          Q.           Why did you do so on this  
14          occasion?

15          A.           Here it looks as though he  
16          forwarded to me and told me who he was.

17          Q.           Okay. And why did you set up a  
18          call with him with the Secretary?

19          A.           At this point in time, I don't  
20          remember.

21          Q.           It had to do with the  
22          citizenship question, didn't it?

23          A.           He had sent an e-mail  
24          requesting a call, and I don't remember,  
25          well, it looks like I set it up, so, you

1 know --

2 Q. Ms. Teramoto, my question is  
3 simply, the call that you set up, that was  
4 for the purpose of discussing the  
5 citizenship question, correct?

6 A. It was -- I would have set up  
7 the call because somebody had asked for a  
8 call with the Secretary.

9 Q. Didn't you set it up for the  
10 Secretary in part because it was about the  
11 citizenship question?

12 A. I would have set up the call  
13 because somebody had asked for the call  
14 with the Secretary. It wouldn't be  
15 specifically because of a certain question.

16 Q. You wouldn't set up a call for  
17 anyone who asks for a call with the  
18 Secretary, would you?

19 A. If there is somebody who wants  
20 to speak to the Secretary and it seems like  
21 it is something that he would want to talk  
22 about, then I would set it up.

23 Q. So I take it he would, in your  
24 mind, he would have wanted to talk about  
25 the citizenship question?

1           A.           I would have set up the call if  
2           somebody like this would have asked for a  
3           call with the Secretary, so if another  
4           Secretary of State had asked for some call  
5           with the Secretary, I would have tried to  
6           facilitate that.

7           Q.           Wouldn't you have told the  
8           Secretary what the topic of the call was?

9                       MS. WELLS: I object to the  
10          form.

11          A.           It depends.

12          Q.           Wouldn't you have told him what  
13          the topic of this call was?

14                       MS. WELLS: I object to the  
15          form.

16          A.           Somebody would have told him  
17          what the topic was.

18          Q.           In this time period, July 2017,  
19          and earlier, hadn't you heard talk like  
20          this before that it is essential that the  
21          citizenship question be added to the  
22          census?

23          A.           I don't remember anything  
24          specific.

25                       Again, sir, I was not involved

CERTIFICATION

I, TODD DeSIMONE, a Notary Public for  
and within the State of New York, do hereby  
certify:

That the witness whose testimony as  
herein set forth, was duly sworn by me; and  
that the within transcript is a true record  
of the testimony given by said witness.

I further certify that I am not related  
to any of the parties to this action by  
blood or marriage, and that I am in no way  
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 24th day of August, 2018.



-----  
TODD DESIMONE

\* \* \*